

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL NO. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

ALL ACTIONS

Judge Patti B. Saris

**STATUS REPORT JULY 5, 2011**

Pursuant to the Court's June 17, 2004 Procedural Order, the undersigned counsel for Class Plaintiffs and Defendants hereby submit the attached status report to the Court listing the status of all pending class motions to date.

DATED: July 5, 2011

By /s/ Steve W. Berman  
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DATED: July 5, 2011

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Thomas M. Sobol, an attorney, caused a true and correct copy of the foregoing, STATUS REPORT JULY 5, 2011, to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on July 5, 2011 a copy to LexisNexis File & Serve for posting and notification to all parties.

**/s/ Steve W. Berman**

Steve W. Berman

**MDL 1456 STATUS CHART**

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
<b>Master Consolidated Class Action</b>	Master File 01-CV- 12257-PBS	D. Mass. pursuant to JPML Order	<ul style="list-style-type: none"> <li>• May 3, 2004 – <b>Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period from Defendants Abbott Laboratories, AstraZeneca, Schering Plough, Sisor and Together Rx Defendants <i>sub judice</i></b> (Magistrate Judge Bowler) [Docket No. 826] <ul style="list-style-type: none"> <li>○ May 17, 2004 – Certain Defendants’ Notice of Opposition to Plaintiffs’ Motion to Compel the Production of Certain Documents and Consent Motion for an Extension of Time [Docket No. 838]</li> <li>○ May 26, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Schering–Plough (<i>Note: withdrawal applies only to Schering-Plough</i>) [Docket No. 851]</li> <li>○ May 27, 2004 – Consent Motion for an Extension of Time to Oppose the Motion to Compel [Docket No. 855]</li> <li>○ May 27, 2004 – Opposition of the Together Rx Defendants to Plaintiffs’ Motion to Compel the Production of Documents [Docket No. 854]</li> <li>○ May 28, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Abbott Laboratories (<i>Note: withdrawal applies only to Abbott Laboratories</i>) [Docket No. 857]</li> <li>○ June 8, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant AstraZeneca. (<i>Note: withdrawal applies only to AstraZeneca</i>) [Docket No. 863]</li> <li>○ June 9, 2004 – Plaintiffs’ Reply Memorandum in Support of Motion to Compel the Production of Documents Created During the Relevant Time Period from the Together Rx Defendants [Docket No. 864]</li> <li>○ June 22, 2004 – Order granting Plaintiffs’ Motion to Withdraw Motion to Compel Directed at Abbott Laboratories [Electronic Order]</li> <li>○ Awaiting scheduling of hearing or ruling by Court as to Together Rx Defendants</li> </ul> </li> <li>○ February 23, 2005 – <b>Third Party Schaller Anderson Inc.’s Objection and Motion to Quash Plaintiffs’ Subpoena</b></li> <li>• June 14, 2005 – <b>Defendant Sisor Inc. and Sisor Pharmaceuticals, Inc.’s Motion for Protective Order with Memorandum in Support <i>sub judice</i></b> (Magistrate Judge Bowler) [Docket No. 1555] <ul style="list-style-type: none"> <li>○ June 28, 2005 – Plaintiffs’ Response to Sisor’s Motion for Protective Order [Docket No. 1568]</li> <li>○ July 6, 2005 – Motion for Leave to File Reply to Plaintiffs’ Response to Sisor’s Motion for Protective Order [Docket No. 1580]</li> </ul> </li> <li>• November 9, 2005 – <b>Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories</b></li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p><b>from Any Order Refusing to Extend Deadline for Track Two Discovery</b> [Docket No. 1875]</p> <ul style="list-style-type: none"> <li>○ November 23, 2005 – Defendant Abbott Laboratories’ Opposition to Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories from Any Order Declining to Extend Deadline for Track Two Discovery [Docket No. 1904]</li> <li>○ December 1, 2005 – Plaintiffs’ Letter to Magistrate Judge Bowler Requesting Postponement of Hearing until Track Two Discovery Issues Resolved</li> </ul> <p>• November 28, 2005 – <b>Plaintiffs’ Motion for Clarification of Case Management Order #16</b> [Docket No. 1912]</p> <ul style="list-style-type: none"> <li>○ November 30, 2005 – Certain Track II Defendants’ Request for Expedited Hearing [Docket No. 1923]</li> <li>○ November 30, 2005 – Response of Defendant Watson Pharma, Inc. to Plaintiffs’ “Motion for Clarification of Case Management Order #16” [Docket No. 1924]</li> <li>○ December 1, 2005 – Order re: Plaintiffs’ Motion for Clarification of Case Management Order #16 [Docket No. 1925]</li> <li>○ December 9, 2005 – Track II Defendants’ Submission Regarding Discovery Schedule [Docket No. 1950]</li> <li>○ December 9, 2005 – Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule [Docket No. 1951]</li> <li>○ December 9, 2005 – Defendants Baxter Healthcare Corporation and Baxter International Inc.’s Memorandum Regarding Track II Discovery Schedule [Docket No. 1952]</li> <li>○ December 9, 2005 – Plaintiffs’ Memorandum in Support of Their Proposed Track II Discovery Schedule [Docket No. 1953]</li> <li>○ December 15, 2005 – Plaintiffs’ Reply to Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule [Docket No. 1964]</li> <li>○ December 16, 2005 – Watson Pharmaceuticals, Inc.’s Motion for Leave to File Reply Memorandum in Support of Its Response to Court Order Regarding Discovery Schedule [Docket No. 1970]</li> </ul> <p>• February 16, 2006 – <b>Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 Pursuant to Fed. R. Civ. P. Rule 72(a)</b> [Docket No. 2140]</p> <ul style="list-style-type: none"> <li>○ February 22, 2006 – Plaintiffs’ Assented-to Motion for Leave to Reply to Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 to File Such Reply Until March 8, 2006 [Docket No. 2148]</li> <li>○ March 8, 2006 – Plaintiffs’ Motion for Leave to File Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’ Objections to Chief Magistrate Judge Bowler’s Order Denying Further Discovery of Massachusetts Health Plans [Docket No. 2237]</li> <li>○ March 8, 2006 – Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’</li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Objections to Chief Magistrate Judge Bowler's Order Denying Further Discovery of Massachusetts Health Plans [Docket No. 2238]</p> <ul style="list-style-type: none"> <li>• February 21, 2006 – <b>United Healthcare, Inc. and United HealthCare Insurance Co.'s Limited Objections to Magistrate Judge's Order Granting Defendants' Motion to Compel</b> [Docket No. 2144] <ul style="list-style-type: none"> <li>○ March 10, 2006 – Defendants' Response to Third Party United Healthcare, Inc. and United HealthCare Insurance Company's Objections to Chief Magistrate Judge Bowler's Order Granting Defendants' Motion to Compel [Docket No. 2243]</li> </ul> </li> <li>• May 8, 2006 – <b>Plaintiffs' Motion to Certify Claims with Respect to Track 2 Defendants</b> [Docket No. 2522] <ul style="list-style-type: none"> <li>○ May 16, 2006 – <b>Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and a Proposed Class Representative</b> [Docket No. 2584] <ul style="list-style-type: none"> <li>▪ May 19, 2006 – Track Two Defendants' Opposition to Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative [Docket No. 2590]</li> <li>▪ May 24, 2006 – Warrick Pharmaceuticals Corp.'s Opposition to Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative [Docket No. 2599]</li> </ul> </li> <li>○ May 16, 2006 – <b>Track Two Defendants' Motion to Strike Harold Bean as a Proposed Class Representative</b> [Docket No. 2582] <ul style="list-style-type: none"> <li>▪ May 26, 2006 – Plaintiffs' Memorandum in Opposition to Motion to Strike Harold Bean as a Proposed Class Representative [Docket No. 2608]</li> </ul> </li> <li>○ June 15, 2006 – Defendants' Individual Memoranda of Law in Opposition to Track 2 Class Certification (<i>individual memorandum filed by each of the Track 2 Defendants</i>) (Redacted versions filed in last week of June/first week of July 2006) [Docket No. 2687]</li> <li>○ July 19, 2006 – Plaintiffs' Reply Memorandum in Support of Motion to Certify Claims With Respect to Track 2 Defendants [Docket No. 2889]</li> <li>○ August 4, 2006 – Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification [Docket No. 2957]</li> <li>○ August 7, 2006 – Plaintiffs' Response to Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification [Docket No. 2964]</li> <li>○ August 25, 2006 – Track Two Defendants' Memorandum Regarding Harold Bean, in Further Opposition to Class Certification [Docket No. 3018]</li> <li>○ August 25, 2006 – Track Two Defendants' Memorandum in Opposition to Class Certification [Docket No. 3020]</li> <li>○ September 5, 2006 – Plaintiff's Response to Track 2 Defendants' Memorandum</li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Regarding Harold Bean [Notice of Filing Under Seal - Docket No. 3063], Declaration of Donald E. Haviland [Docket No. 3065]</p> <ul style="list-style-type: none"> <li>○ September 6, 2006 – Track Two Defendants’ Notice of Supplemental Evidence Relevant to Class Certification [Docket No. 3071]</li> <li>○ September 11, 2006 – Track Two Defendants’ Supplemental Filing Regarding the Track Two Defendants’ Motion for Leave to File the Rebuttal Declaration of Steven J. Young in Support of Track 2 Defendants’ Opposition to Class Certification or, in the Alternative, Motion to Strike the Hartman Track 2 Dyckman Rebuttal, Hartman Track 2 Young Rebuttal and the Rosenthal Rebuttal) [Notice of Filing Under Seal - Docket No. 3093]</li> <li>○ September 11, 2006 – Track Two Defendants’ Notice of Supplemental Authority Relevant to Class Certification [Docket No. 3094]</li> <li>○ October 16, 2006 – Class Plaintiffs’ Submission of the “Generics Chart” Pursuant to the Oral Request of the Court During the Class Certification Hearing in Connection with Track 2 (corrected October 17, 2006) [Docket No. 3220; Corrected Docket No. 3223]</li> <li>○ December 21, 2006 – Track Two Defendants’ Motion to Strike the “Generics Chart” and Proposed Track Two Class Certification Order Submitted by Plaintiffs’ in Support of Their Motion for Class Certification [Docket No. 3499]</li> <li>○ July 25, 2007 – Defendant Amgen Inc.’s Supplemental Memorandum in Opposition to Class Certification [Docket No. 4506]</li> <li>○ August 8, 2007 – Class Plaintiffs’ Response to Amgen and Watson’s Supplemental Opposition to Class Certification [Docket No. 4609]</li> <li>○ August 23, 2007 – Memorandum of Plaintiffs and Class 1 Representatives Harold Carter, Rev. David Aaronson, and Harold Bean in Response to Defendant Amgen, Inc.’s Supplemental Memorandum in Opposition to Class Certification [Docket No. 4641]</li> <li>○ August 31, 2007 – Plaintiffs’ Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues [Docket No. 4675] <ul style="list-style-type: none"> <li>▪ September 21, 2007 – Individual Memorandum of Aventis Pharmaceuticals Inc. in Opposition to Plaintiffs’ Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues [Docket No. 4738]</li> <li>▪ September 21, 2007 – Response of Defendants Amgen Inc. and Watson Pharmaceuticals, Inc. to Plaintiffs’ Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues [Docket No. 4740]</li> </ul> </li> <li>○ September 7, 2007 – Plaintiffs’ Submission of Supplemental Authority Relating to Track 2 Class Certification and State Law Issues [Docket No. 4691]</li> <li>○ September 14, 2007 – Watson Pharmaceuticals, Inc.’s Response to Class Plaintiffs’ Response to Amgen and Watson’s Supplemental Opposition to Class Certification [Docket No. 4716]</li> </ul> <p>• June 22, 2006 – Plaintiffs’ Motion to Quash May 18, 2006 Amended Notice of Deposition of</p>



CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p><b>Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation</b> [Docket No. 2755]</p> <ul style="list-style-type: none"> <li>○ June 22, 2006 – Plaintiffs’ Motion for Leave to File Under Seal Plaintiffs’ Memorandum and Exhibit 1 to the Declaration of Steve W. Berman in Support of Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation [Docket No. 2754]</li> <li>○ July 6, 2006 – Warrick’s Memorandum in Opposition to Certain Plaintiffs’ Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub and in Support of Cross Motion for Leave to Take Deposition of Harvey Weintraub for Purposes of Preservation of Testimony [Docket No. 2840]</li> <li>○ July 20, 2006 – Plaintiffs’ Memorandum in Opposition to Warrick Pharmaceuticals Corporation’s Cross-Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony [Docket No. 2898]</li> <li>○ August 3, 2006 – Warrick Pharmaceuticals Corporation’s Reply Memorandum in Support of Its Cross Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony [Docket No. 2950-2]</li> </ul> <ul style="list-style-type: none"> <li>• November 2, 2006 – <b>Defendant Immunex Corporation’s Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Regarding Immunex’s Motion for Protective Order Regarding May 17, 2006, Deposition Notice</b> [Docket No. 3303] <ul style="list-style-type: none"> <li>○ November 9, 2006 – Plaintiffs’ Memorandum In Response to Immunex Corporation’s Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Denying Immunex’s Motion for Protective Order [Notice of Filing Under Seal – Docket No. 3331]</li> </ul> </li> <li>• November 6, 2006 – <b>Plaintiffs’ Objections to the October 23, 2006 Order by Chief Magistrate Bowler Re: Amgen Inc.’s Motion for Protective Order Relating to Plaintiffs’ Rule 30(b)(6) Deposition Notice Regarding Sales and Marketing</b> [Docket No. 3323] <ul style="list-style-type: none"> <li>○ November 14, 2006 – Amgen Inc.’s Response to Plaintiffs’ Objections to Chief Magistrate Judge Bowler’s October 23, 2006 Order Granting Amgen Inc.’s Motion for Protective Order [Docket No. 3361]</li> </ul> </li> <li>• February 22, 2007 – <b>Plaintiffs’ Objections to February 12, 2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories’ Motion for Protective Order and Motion to Quash Plaintiffs’ Third Party Subpoenas</b> [Docket No. 3802] <ul style="list-style-type: none"> <li>○ March 8, 2007 – Abbott Laboratories Response to Plaintiffs’ Objections to February 12, 2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories’ Motion for Protective Order and Motion to Quash Plaintiffs’ Third Party Subpoenas [Docket No. 3837]</li> <li>○ March 23, 2007 – Plaintiffs’ Reply Brief in Support of Their Objections to February 12,</li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories' Motion for Protective Order and Motion to Quash Plaintiffs' Third Party Subpoenas [Docket No. 3915]</p> <ul style="list-style-type: none"> <li>• March 22, 2007 – <b>Declaration of G. Raymond Pironti, Jr. Regarding Time Expended for Preparing Direct Testimony via Declaration and Traveling from Tampa, Florida to Boston Pursuant to Subpoena to Appear for Trial Testimony and Request for Reimbursement</b> [Docket No. 3945]</li> <li>• July 13, 2007 – <b>Notice of Submission to Court of Declaration and Request for Determination of Proprietary Filing Under Seal</b> [Docket No. 4460] <ul style="list-style-type: none"> <li>◦ July 27, 2007 – Class Counsel's Response to the Declaration of Donald E. Haviland, Jr. In Response to Court Directive Concerning AstraZeneca Settlement [Docket No. 4510]</li> <li>◦ August 24, 2007 – Declaration of Donald E. Haviland, Jr., in Response to Court Directive Concerning the AstraZeneca Settlement [Docket No. 4660]</li> </ul> </li> <li>• October 23, 2008 – <b>Plaintiffs' Offer of Proof Regarding Standing of Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust</b> [Docket No. 5641] <ul style="list-style-type: none"> <li>◦ December 16, 2008 – Plaintiffs' Amended Offer of Proof Regarding Standing of Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust [Docket No. 5781]</li> </ul> </li> <li>• November 20, 2008 – <b>[Proposed] Consolidated Order Re: Motion for Nationwide Certification Relating to AstraZeneca and the BMS Group</b> [Docket No. 5691] <ul style="list-style-type: none"> <li>◦ November 24, 2008 – Objection by AstraZeneca Pharmaceuticals LP to the Proposed Order Submitted by Plaintiffs With Respect to the Certification Under Rule 23 of Multistate Cases [Docket No. 5705]</li> <li>◦ November 25, 2008 – Objection by Bristol-Myers Squibb Company to the Proposed Order Submitted by Plaintiffs With Respect to the Certification Under Rule 23 of Multistate Cases [Docket No. 5709]</li> <li>◦ January 26, 2009 – Order to Stay Entry of Multistate Class Certification Order Pending Appeal of Massachusetts Class Judgment [Electronic Order]</li> </ul> </li> <li>• February 23, 2009 – <b>Revised Objection to Class Action Settlement and Notice of Intent to Appear of Class Member Patricia Weatherly (re Track Two Settlement)</b> [Docket. No. 5921]</li> <li>• March 2, 2009 – <b>Class Counsel Motion for Entry of an Order Granting Final Approval of the Track Two Settlement</b> [Docket No. 5934] <ul style="list-style-type: none"> <li>◦ [Proposed] Final Order and Judgment Granting Final Approval of the Track Two Class Action Settlements, Approving Proposed Allocation of Settlement Funds, and Approving</li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Class Counsel Application of Attorneys' Fees, Reimbursement of Litigation Expenses and Compensation for Class Representatives [Docket No. 5934-2]</p> <ul style="list-style-type: none"> <li>○ March 2, 2009 – Class Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of the Track Two Settlement [Docket No. 5935]; Declaration of Katherine Kinsella Regarding Class Notice in the Track Two Settlement [Docket No. 5936]; Declaration of Eric Miller Regarding Mailing of Notice to Class members [Docket No. 5937]</li> <li>○ March 2, 2009 – Class Counsel's Memorandum of Law in Support of Petition for Attorneys' Fees, Reimbursement of Expenses and Compensation to the Class Representatives in Association with the Track 2 Settlement [Docket No. 5938]; Declaration of Marc. H. Edelson in Support of Class Plaintiffs' Joint Petition for Attorneys' Fees, Reimbursement of Expenses in Relation to Track 2 Settlement [Docket No. 5939]</li> <li>○ March 9, 2009 – Objection to Track Two Settlement and Attorney's Fee Request and Notice of Intention to Appear at Fairness Hearing [Docket No. 5947]</li> <li>○ March 16, 2009 – Memorandum of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Certification and Settlement [Docket No. 5953], Declaration of Donald E. Haviland, Jr. in Support of Memorandum of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Certification and Settlement [Docket No. 5954]</li> <li>○ March 24, 2009 – Revised Memorandum of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Certification and Settlement [Docket No. 5971]</li> <li>○ April 9, 2009 – Class Plaintiffs' Response to Objections to Final Approval of the Track Two Settlement [Docket No. 6003], Declaration of Steve W. Berman in Support of Class Plaintiffs' Response to Objections to Final Approval of the Track Two Settlement [Docket No. 6004], Declaration of Thomas M. Sobol in Support of Class Plaintiffs' Response to Objections to Final Approval to the Track Two Settlement [Docket No. 6005], Declaration of Jeffrey S. Goldenberg [Docket No. 6006], Declaration of Alex Sugerman-Brozanm, Co-Consumer Allocation Counsel, in Support of Final Approval of the Track Two Settlement [Docket No. 6007], Declaration of Wells Wilkinson in Support of Final Approval of the Track Two Settlement [Docket No. 6008], Declaration of Eric P. Lachance Regarding Consumer Class Members [Docket No. 6009]</li> <li>○ April 21, 2009 – Class Plaintiffs' Notice of Filing in Support of Their Response to Objections to Final Approval of the Track Two Settlement [Docket No. 6015]</li> <li>○ April 23, 2009 – Reply of Objectors John Pentz, Connie Pentz and Corinna Connick to Class Plaintiffs' Response to Objections to Final Approval of Track Two Settlement [Docket No. 6021], Affidavit of Edward Cochran [Docket No. 6021-2]</li> <li>○ April 24, 2009 – Affidavit of Donald E. Haviland, Jr., in Support of Evidentiary</li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
<b>Master Consolidated Class Action (continued)</b>			<p>Submission for Track Two Fairness Hearing [Docket No. 6026]</p> <ul style="list-style-type: none"> <li>○ December 13, 2009 – Objecting Class Member James W. Wilson’s Amended Objection to the Court’s Approval of Attorneys’ Fees in Excess of \$10 Million [Docket No. 6758]</li> <li>○ December 15, 2009 – Class Member Patricia Weatherly’s Second Revised Objection to Class Action Settlement and Notice of Intent to Appear [Docket No. 6762]</li> <li>○ December 20, 2009 – Objecting Class Member James W. Wilson’s Amended Objection to the Court’s Approval of Attorneys’ Fees in Excess of \$10 Million [Docket No. 6778]</li> <li>○ January 28, 2010 – Class Plaintiffs’ Notice of Status Related to Final Approval of the Track Two Settlement [Docket No. 6867]</li> <li>○ February 4, 2010 – Track Two Defendants’ Response to Class Plaintiffs’ Status Report Regarding Track Two Settlement [Docket No. 6891]</li> <li>○ February 2, 2011 – Plaintiffs’ Motion for Approval of Revised Notice Plan and Schedule for Final Approval of Track Two Settlement [Docket No. 7399]</li> <li>○ May 17, 2011 – First Memorandum in Opposition to Motion for Order to Class Counsel’s Motion for Entry of an Order Granting Final Approval of the Track Two Settlement [Docket No. 7545]</li> <li>○ May 24, 2011 – Omnibus Objection of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Settlement [Docket No. 7556] <ul style="list-style-type: none"> <li>• May 26, 2011 - Class Counsel’s Motion to Strike Exhibit A to Don Haviland’s Omnibus Objection of Named Consumer Plaintiffs in Opposition to Approval of the Proposed Track Two Nationwide Class Settlement [Docket No. 7559]</li> </ul> </li> <li>○ May 24, 2011 – Opposition regarding Motion for Order to Class Counsel’s Motion for Entry of an Order Granting Final Approval of the Track Two Settlement [Docket No. 7563]</li> <li>○ June 1, 2011 – Class Plaintiff’s Notice Concerning Recommendation on Use of Excess Settlement Funds in the Proposed Track Two Settlement [Docket No. 7571]</li> <li>○ June 1, 2011 – Class Plaintiffs’ Supplemental Response to Objections to Final Approval of the Track Two Settlement [Docket No. 7573]</li> <li>○ June 1, 2011 - Supplemental Declaration of Katherine Kinsella Regarding Class Notice in the Track Two Settlement [Docket No. 7574]</li> <li>○ June 1, 2011 - Declaration of Daniel Coggeshall Regarding Mailing of Notice and Claims Activity Related to Class 1 Members and Claims Activity Related to Classes 2 and 3 in the Track Two Settlement [Docket No. 7575] <ul style="list-style-type: none"> <li>• June 21, 2011 – Track Two Defendants’ Memorandum in Support of Track Two Class Action Settlement [Docket No. 7614]</li> </ul> </li> <li>○ June 1, 2011 – Class Plaintiff’s Motion to Add Individual Plaintiff’s as Class Representatives for Track Two Settlement [Docket No. 7572], Affidavit of Agnes Swayze (Docket No. 7572-1), Affidavit of Thomas Trutsky [Docket No. 7572-2], Affidavit of Mariella Laday [Docket No. 7572-3]</li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
<b>Master Consolidated Class Action (continued)</b>			<ul style="list-style-type: none"> <li>○ June 15, 2011 – Certain Named Plaintiff’s Opposition to Class Plaintiff’s Motion to Add Individual Plaintiffs as Class Representatives for Track Two Settlement [Docket No. 7601]</li> <li>○ June 24, 2011 – Class Plaintiffs Reply Brief in Support of Their Motion to Add Individual Plaintiffs as Class Representatives for Track Two Settlement [Docket 7618]</li> <li>○ Declaration of Steve W. Berman [Docket No. 7619]</li> <li>○ Supplemental Affidavit of Agnes Swayze [Docket No. 7620]</li> <li>○ Supplemental Affidavit of Thomas Trutsky [Docket No. 7621]</li> <li>○ Corrected Declaration of Steve W. Berman [Docket 7622]</li>   <li>• March 27, 2009 – <b>Class Plaintiffs’ Motion for Protective Order with Regard to Muriel Tonacchio Deposition</b> [Docket No. 5979] <ul style="list-style-type: none"> <li>○ March 27, 2009 – Class Plaintiffs’ Memorandum in Support of Their Motion for Protective Order with Regard to Muriel Tonacchio Deposition [Docket No. 5980]; Declaration of Jennifer Fountain Connolly [ Docket No. 5981]</li> <li>○ April 23, 2009 – Named Consumer Plaintiffs’ Opposition to Class Plaintiffs’ Motion for Protective Order with Regard to Muriel Tonacchio Deposition [Docket No. 6019], Named Consumer Plaintiffs’ Memorandum in Opposition to Class Plaintiffs’ Motion for Protective Order with Regard to Muriel Tonacchio Deposition [Docket No. 6019]</li> </ul> </li>   <li>• March 27, 2009 – <b>Motion by Prescription Access Litigation, Community Catalyst and Health Care for All to Quash Subpoenas Duces Tecum Served by Don Haviland</b> [Docket No. 5982] <ul style="list-style-type: none"> <li>○ March 27, 2009 – Memorandum of Prescription Access Litigation, Community Catalyst and Health Care for All in Support of Their Motion to Quash Subpoenas Duces Tecum Served by Don Haviland [Docket No. 5983]; Declaration of Jennifer Fountain Connolly [Docket No. 5984]</li> <li>○ April 23, 2009 – Named Consumer Plaintiffs’ Response to Motion by Prescription Access Litigation, Community Catalyst and Health Care For All to Quash Subpoenas Duces Tecum [Docket No. 6020], Named Consumer Plaintiffs’ Memorandum in Opposition to Motion by Prescription Access Litigation, Community Catalyst and Health Care For All to Quash Subpoenas Duces Tecum [Docket No. 6020]</li> </ul> </li>   <li>• November 23, 2009 – <b>The J&amp;J Defendants’ Post-Remand Motion for Summary Judgment Against Class 1 Residents of the Commonwealth of Massachusetts</b> [Docket No. 6667] <ul style="list-style-type: none"> <li>○ November 23, 2009 – The J&amp;J Defendants’ Memorandum in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the Commonwealth of Massachusetts [Docket No. 6668], The J&amp;J Defendants’ Local Rule 56.1 Statement in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents</li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>of the Commonwealth of Massachusetts [Docket No. 6669]</li> <li>○ January 15, 2010 – Plaintiffs’ Combined Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment [Docket No. 6834], Plaintiffs’ Local Rule 56.1 Counter-Statement of Disputed Material Facts in Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment [Docket No. 6835], Declaration of Steve W. Berman in Support of Plaintiffs’ Combined Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment and Plaintiffs’ Local Rule 56.1 Counter-Statement of Disputed Material Facts [Docket No. 6836]</li> <li>○ January 29, 2010 – The J&amp;J Defendants’ Reply Memorandum in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the Commonwealth of Massachusetts [Docket No. 6869]</li> </ul> </li> <li>• November 23, 2009 – <b>The J&amp;J Defendants’ Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States Other Than the Commonwealth of Massachusetts</b> [Docket No. 6671] <ul style="list-style-type: none"> <li>○ November 23, 2009 – The J&amp;J Defendants’ Memorandum in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States Other than the Commonwealth of Massachusetts [Docket No. 6672] <ul style="list-style-type: none"> <li>• November 24, 2009 – The J&amp;J Defendants’ Notice of Filing of Corrected Appendix [Docket No. 6683]</li> </ul> </li> <li>○ November 23, 2009 – The J&amp;J Defendants’ Local Rule 56.1 Statement in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States other than the Commonwealth of Massachusetts [Docket No. 6673]</li> <li>○ January 15, 2010 – Plaintiffs’ Combined Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment [Docket No. 6834], Plaintiffs’ Local Rule 56.1 Counter-Statement of Disputed Material Facts in Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment [Docket No. 6835], Declaration of Steve W. Berman in Support of Plaintiffs’ Combined Opposition to the J&amp;J Defendants’ Post-Remand Motions for Summary Judgment and Plaintiffs’ Local Rule 56.1 Counter-Statement of Disputed Material Facts [Docket No. 6836]</li> <li>○ January 29, 2010 – The J&amp;J Defendants’ Reply Memorandum in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States other than The Commonwealth of Massachusetts [Docket No. 6870]</li> <li>○ March 5, 2010 – The J&amp;J Defendants’ Supplemental Authority in Support of the J&amp;J Defendants’ Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States Other than the Commonwealth of Massachusetts [Docket No. 6947] <ul style="list-style-type: none"> <li>• March 15, 2010 – Plaintiffs’ Response to the J&amp;J Defendants’ Supplemental</li> </ul> </li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Authority [Docket No. 6977]</p> <ul style="list-style-type: none"> <li>• June 29, 2010 – Status Report – Class 1 Plaintiffs’ Status Report Regarding J&amp;J Defendants [Docket No. 7151]; Response by Centocor, Inc., Johnson &amp; Johnson [Docket No. 7152]</li> <li>• July 19, 2010 – Brief by All Plaintiffs – Class 1 Plaintiffs’ Statement Regarding Position Take by the Department of Justice Regarding Dr. Hartman’s 30% Benchmark [Docket No. 7188]; Declaration by Steve Berman re: 7188 [Docket No. 7189]; Statement of Counsel by Johnson &amp; Johnson [Docket No. 7190]</li> <li>• July 21, 2010 – Stipulation and [Proposed] Order Concerning Proposed Class 1 Representative, Mrs. Jimmie Oustad [Docket No. 7193]</li> <li>• August 6, 2010 - Judge Saris Stipulation and Order Concerning Proposed Class 1 Representative, Mrs. Jimmie Oustad [Docket No. 7219]</li> <li>• September 3, 2010 – Judge Saris Memorandum and Order Granting in Part and Denying in Part Motion for Summary Judgment [Docket No. 7248]</li> </ul> <ul style="list-style-type: none"> <li>• February 16, 2010 – <b>Motion to Enforce Settlement with BMS</b> [Docket No. 6917] <ul style="list-style-type: none"> <li>○ February 16, 2010 – Memorandum in Support of Motion to Enforce Settlement with BMS [Docket No. 6918]</li> <li>○ August 6, 2010 – <b>Judge Saris Amended Order Revising Schedule Related to Final Approval of BMS Settlement Entered re: 7168 Motion</b> [Docket No. 7217]</li> <li>○ November 12, 2010 – <b>Motion for Settlement Class Plaintiffs and BMS’ Joint Motion for Final Approval of Class 2 and Class 3 Components of BMS Settlement by All Plaintiffs</b> [Docket No. 7304] <ul style="list-style-type: none"> <li>• November 12, 2010 – Memorandum in Support [Docket No. 7305]</li> <li>• November 19, 2010 – Amended Memorandum [Docket No. 7308]</li> <li>• November 23, 2010 – Proposed Order for Final Consideration of BMS Settlement [Docket No. 7309]</li> <li>• November 30, 2010 – Judge Saris Order for Final Consideration of BMS Settlement entered [Docket No. 7313]</li> </ul> </li> <li>• February 28, 2011 – <b>Objection to Motion by Susan Aaronson and Rev. David Aaronson</b> [Docket No. 7440]</li> <li>• March 14, 2011 – <b>Reply to Response to Motion for Settlement Class Plaintiffs and BMS’ Joint Motion for Final Approval of Class 2 and Class 3 Components of BMS Settlement</b> [Docket No. 7453]</li> </ul> </li> <li>○ March 25, 2011 - <b>Sur-reply in Support of Motion to Enforce Settlement</b> [Docket No. 7477] <ul style="list-style-type: none"> <li>• March 25, 2011 – <b>Motion to Disqualify Class Counsel from Continuing to Serve as Counsel for the Class 1 BMS Consumer Sub-Class</b> [Docket No.</li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>7480]</p> <ul style="list-style-type: none"> <li>○ March 14, 2011 – <b>Class Counsel and BMS’ Joint Motion for Final Approval of the Class 1 Component of the BMS Settlement by All Plaintiffs</b> [Docket No. 7454] <ul style="list-style-type: none"> <li>• March 14, 2011 – <b>Memorandum in Support of Joint Motion for Settlement</b> [Docket No. 7455]</li> <li>• March 14, 2011 – <b>Declaration of Steve W. Berman</b> in Support of Motion for Final Approval of BMS Settlement by All Plaintiffs [Docket No. 7456]</li> <li>• March 14, 2011 – <b>Declaration of Jeffrey S. Goldenberg in Support of Motion for Final Approval of BMS Settlement by All Plaintiffs</b> [Docket No. 7457]</li> <li>• March 14, 2011 – <b>Declaration of Wells G. Wilkinson in Support of Motion for Final Approval of BMS Settlement by All Plaintiffs</b> [Docket No. 7458]</li> <li>• March 14, 2011 – <b>Declaration of Eric J. Miller in Support of Motion for Final Approval of BMS Settlement by All Plaintiffs</b> [Docket No. 7459]</li> </ul> </li> <li>○ March 25, 2011 – <b>Objection to Joint Motion for Settlement</b> [Docket No. 7478]</li> <li>○ May 2, 2011 – <b>Motion to Withdraw Motion to Enforce Settlement and Objection to Proposed Settlement</b> [Docket No. 7529]</li> <li>○ May 16, 2011 – <b>Opposition to Class Counsel and BMS’ Joint Motion for Final Approval of the Class 1 Component of the BMS Settlement</b> [Docket No. 7542]</li> <li>○ June 10, 2011 – <b>Opposition to Class Counsel and BMS’ Joint Motion for Approval of the Class 1 Component of the BMS Settlement</b> [Docket No. 7596]</li> <li>○ June 17, 2011 – <b>Opposition to Class Counsel and BMS’ Joint Motion for Final Approval of the Class 1 Component fo the BMS Settlement</b> [Docket No. 7603]</li> <li>○ June 20, 2011 – <b>Opposition to Class Counsel and BMS’ Joint Motion for Final Approval of the Class 1 Component fo the BMS Settlement</b> [Docket No. 7609]</li> </ul> <ul style="list-style-type: none"> <li>• February 14, 2011 – <b>Lead Class Counsel’s Motion for Attorneys’ Fees and Costs and Compensation to the Class Representatives in Association with the BMS Settlement by All Plaintiffs</b> [Docket No. 7415] <ul style="list-style-type: none"> <li>○ February 14, 2011 – <b>Memorandum in Support</b> [Docket No. 7416]</li> <li>○ February 14, 2011 – <b>Declaration of Steve Berman in Support</b> [Docket No. 7417]</li> <li>○ February 14, 2011 – <b>Declaration of Marc Edelson in Support</b> [Docket No. 7418]</li> <li>○ February 14, 2011 – <b>Declaration of Kenneth Wexler in Support</b> [Docket No. 7419]</li> <li>○ February 14, 2011 – <b>Declaration of Mardolyn Vescovi in Support</b> [Docket No. 7420]</li> <li>○ February 14, 2011 – <b>Declaration of Sandra Leef in Support</b> [Docket No. 7421]</li> <li>○ February 14, 2011 – <b>Declaration of Joyce Dison in Support</b> [Docket No. 7422]</li> <li>○ February 14, 2011 – <b>Declaration of Donna Kendall in Support</b> [Docket No. 7423]</li> <li>○ February 14, 2011 – <b>Declaration of Constance Nelson in Support</b> [Docket No. 7424]</li> <li>○ February 14, 2011 – <b>Declaration of Pauline Vernick in Support</b> [Docket No. 7425]</li> </ul> </li> </ul>



CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> <li>○ February 14, 2011 – <b>Declaration of Cheryl Barreca in Support</b> [Docket No. 7426]</li> <li>○ February 14, 2011 – <b>Affidavit of Agnes Swayze in Support</b> [Docket No. 7427]</li> <li>○ March 14, 2011 – <b>Affidavit of Scott Tell in Support</b> [Docket No. 7452]</li> <li>○ March 17, 2011 – <b>Corrected Affidavit of Scott Tell in Support</b> [Docket No. 7460]</li> <li>○ April 8, 2011 – <b>Declaration of Anna Choice in Support</b> [Docket No. 7493]</li> <li>○ April 8, 2011 – <b>Declaration of Tracy Garcia in Support</b> [Docket No. 7494]</li> <li>○ April 8, 2011 – <b>Amended Declaration of Cheryl Barreca in Support</b> [Docket No. 7500]</li> <li>○ May 2, 2011 – <b>Declaration of Rebecca Anne Hopkins</b> [Docket No. 7523]</li> <li>○ May 2, 2011 – <b>Declaration of Rev. David Aaronson</b> [Docket No. 7524]</li>   <li>• April 8, 2011 – <b>Class Counsel’s Submission of Additional Information Relating to the BMS Settlement</b> [Docket No. 7497] <ul style="list-style-type: none"> <li>○ April 8, 2011 – <b>Declaration of Raymond S. Hartman in Support</b> [Docket No. 7498]</li> <li>○ April 8, 2011 – <b>Affidavit of Agnes Swayze</b> [Docket No. 7499]</li> </ul> </li>   <li>• February 18, 2011 – <b>Class Plaintiff’s Notice Concerning Recommendation on Use of Excess Settlement Funds in the Proposed BMS Settlement by All Plaintiffs</b> [Docket No. 7428]</li>   <li>• April 13, 2011 – <b>Notice Regarding Involvement of HealthCare for All in Track 2 Settlement by Don Haviland</b> [Docket No. 7501] <ul style="list-style-type: none"> <li>○ April 14, 2011 – <b>Class Counsel’s Response</b> [Docket No. 7504]</li> <li>○ May 2, 2011 – <b>Reply in Response to Class Counsel’s Response to Notice Regarding Involvement of HealthCare for All in Track 2 Settlement</b> [Docket No. 7527]</li> </ul> </li>   <li>• April 14, 2011 - <b>Health Care for All’s Motion to Withdraw as Class 1 Representative for Track 2 Settlement by Health Care For All</b> [Docket No. 7503] <ul style="list-style-type: none"> <li>○ May 2, 2011 – <b>Response of Named Consumer Plaintiffs to HealthCare for All’s Motion to Withdraw as Class 1 Representative for Track II Settlement</b> [Docket No. 7528]</li> </ul> </li>   <li>• April 21, 2011 – <b>Motion to Vacate or, in the Alternative, Modify the Court’s June 22, 2010 Order By Donald Haviland</b> [Docket No. 7511] <ul style="list-style-type: none"> <li>○ May 19, 2011 – <b>Opposition to Motion to Vacate or, in the Alternative, Modify the Court’s June 22, 2010 Order</b> [Docket No. 7547]</li> <li>○ May 19, 2011 – <b>Declaration of Steve W. Berman in Support of Class Counsel’s Opposition to Haviland’s Motion to Vacate or, in the Alternative, Modify the</b></li> </ul> </li> </ul>

CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
			<p><b>Court's June 22, 2010 Order</b> [Docket No. 7548]</p> <ul style="list-style-type: none"> <li>• April 28, 2011 – <b>Lead Counsel's Motion for Attorneys' Fees and Costs and Compensation to the Class Representatives in Association with the Track Two Settlement</b> [Docket No. 7515] <ul style="list-style-type: none"> <li>○ April 28, 2011 – <b>Memorandum in Support</b> [Docket No. 7516]</li> <li>○ April 28, 2011 – <b>Declaration of Steve Berman in Support</b></li> <li>○ April 28, 2011 – <b>Declaration of Marc Edelson in Support</b></li> </ul> </li> <li>• May 16, 2011 – <b>Opposition to Lead Counsel's Motion for Attorneys' Fees and Costs and Compensation to the Class Representatives in Association with the Track Two Settlement</b> [Docket No. 7542]</li> </ul>